

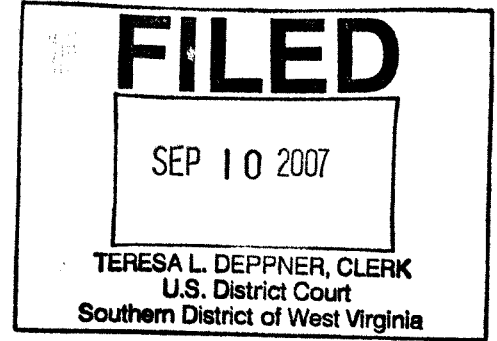
JUDGMENT

FILED: September 7, 2007

UNITED STATES COURT OF APPEALS

for the
Fourth Circuit

No. 06-1700
2:05-cv-00965
2:05-cv-0966
2:05-cv-0987
2:05-cv-1132
2:05-cv-1151
2:05-cv-1152
2:05-cv-1153
2:05-cv-1154



IRA WHITE; CATHY WHITE; AMANDA WHITE; ADAM WHITE; LARRY J. BROWN; BRENDA BROWN; BILLY SAMMONS, JR.; DEBORAH SAMMONS; JORDAN SAMMONS; BRITTANY SAMMONS; ALICE YATES; FRANK COLEMAN; RODNEY D. JUDE; RODNEY M. JUDE; ANNETTE JUDE; MELISSA JUDE; NOAH JUDE; BRAYDEN LAMBERT; CAITLYN LAMBERT; CHARITY LAMBERT; RANDY LAMBERT; DEBORAH MURPHY; KERMIT MURPHY; KERMIT MURPHY, JR.; ALLISON CRABTREE; OSCAR ROBERTS; TROY STAFFORD; JUANITA PIGMAN; WILLIAM PIGMAN; ZELLA PIGMAN; RANDY DEWAYNE MEADOWS; TRACIE MEADOWS; MARISSA MEADOWS; RANDALL LESTER; KAYCE LESTER; ADAM RANDALL LESTER; TERESA STANLEY; THELMA ROBERTS; ALLEN SCHWALB; THELMA PRATER; RUBY BLANKENSHIP; RUSSELL ELKINS; ELLA MAE ELKINS; TAMMY ELKINS; TIMOTHY ELKINS; MIRANDA ELKINS; HANNA ELKINS; SHELLEY AMANDA CRABTREE; TAWNIA WHITT; THELMA ELKINS; RITA ELKINS; STEVEN ELKINS; WANDA MOLLETT; JACQUELINE MOLLETT; PEARL BROWN; PAUL J. BROWN; REGINA SCOTT; RONALD KEITH SCOTT; ROSEMARY JUSTICE; JAMES JUSTICE; FRANKLIN D. FULLER; DONNETTA BLANKENSHIP; ORVILLE BLANKENSHIP; AMY RUNYON; CHRISTINA BLANKENSHIP; JOSH RUNYON; DAVID DILLON; MARY ELIZABETH DILLON; DAVID EVANS; MAGOLA MAE EVANS; CHRISTOPHER S. BROWN; CARMELITA BROWN; ERNEST BROWN; OPAL CRABTREE; JOHNNY "BO" CRABTREE; PAUL DAVID BROWN; KATHELENE BROWN; MARY ANN CRABTREE; IRA EVANS; GLENNA FAE EVANS; FRANKLIN FINNELL; FRANK FULLER; FRANCIS FULLER; PRESTON CHILDS; LAURA CHILDS; SAMMY ROSE; AARON FARMER; TAMMY BROWN BENTLEY; SHEENA HUBERT; BRANDON HUBERT; TAMMY MOSLEY; TIM MOSLEY; TARA PENNINGTON; DAVID B. MCCOY; JUDY MCCOY; DEBORAH IRENE SAMMONS; BILLY SAMMONS, III; FAYE SAMMONS; BILLY IRVINE SAMMONS, IV; MATTHEW SAMMONS; MIRANDA SAMMONS; RUSSELL PRINCE; VIRGINIA PRINCE; JAMES PRINCE; ASHLEY PRINCE; BOB VINICIL; BETTY BAISDEN; ORVILLE BAISDEN; SHAWN MICHAEL BAISDEN; CONNIE MULLINS; JERRY MULLINS; LAURA MULLINS; SHIRLEY MULLINS; TERRY MULLINS; CARRIE ANN PRATER; AMANDA RENEE HICKS; RICKY HICKS; CHRISTOPHER HICKS; ROBIN SMITH; CAITLYN SMITH; REBECCA E. ROBERTS; CHESTER ROBERTS; MARY ROBERTS; RANDY S. MEADOWS; CRYSTAL PRINCE; BALLARD PRINCE; ROBERT PRINCE; SAVANNAH PRINCE; ERIC PRINCE; LASSIE PRATER;

KENNETH STROUD; CHRISTOPHER CHASE STROUD; KENNETH AARON STROUD; KEITH STATEN; CECELIA STATEN; JESSIE MEADOWS; JENNIFER SPENCE; JOSHUA SPENCE; DAVID JOE MOLLETT; ELMER MOLLETT; MEKIA MOLLETT; JOHN MAY; FRANCIS MAY; MATTHEW MAY; JANICE WALLEN; DOCK WALLEN; TIMOTHY WALLEN; HESTER RUNYON; ARNOLD RUNYON; LARRY BROWN, JR.; KATHY HARDIN; MAUDE RICE; MICHAEL LESTER; MICHAEL SHANE LESTER; JENNIFER BALDRIDGE; NALO JEAN ROBERTS; MARGIE ROBINETTE; JOHN ROBINETTE; JONATHAN ROBINETTE; STEVEN ROBINETTE; STEVE BALL; LISA WALLEN; MARY MARGARET MILAM; JIMMY MILAM; CHRISTOPHER BRIAN MILAM; CHRISTOPHER BRIAN MILAM, JR.; MARY SUE MEADOWS; RANDY MEADOWS; JOSEPH MEADOWS; AUSTIN MEADOWS; DANIEL MEADOWS; JAMES "BO" SCOTT, and Family; MADGE FRANCE; DAVID FRANCE; LUCY CHAFIN; ROY FRANKLIN; LISA FRANCIS; ETHAN FRANCIS; LARISA FRANCIS; LISA BLANKENSHIP; LEANN MICHELLE CENTERS; DESTINY ALEXANDRIA CENTERS; BEVERLY IVINS; AMY BAILEY; JAMES L. BAILEY; JAMES C. BAILEY; CODY BAILEY; BILLY HATFIELD; JIMMY HATFIELD; TIMMY HATFIELD; BRANDI HENSLEY; CATHY HENSLEY; DUSTI HENSLEY; JAMES HENSLEY; JAMIE HENSLEY; SHIRLEY HENSLEY; JAMES CRABTREE; WILLIAM OSCAR CRABTREE; JAMES D. CRABTREE; JULIE ANN CRABTREE; JESSICA DOTSON; BRIAN DOTSON; VERONICA DOTSON; VICTORIA DOTSON; BRANDON DOTSON; JIMMY HENSLEY; JOANIE DOTSON; JOINE FINNELL; EDNA MARIE FINNELL; INGA HURLEY; BILL HURLEY; ESTALENE LESTER; LEAH LESTER; EDDIE DILLON; ANITA DILLON; MEGAN DILLON; ERIC DILLON; DEBORAH STANLEY; DOROTHY SPARKS; DAVID WADE HENSLEY; MARGARET ADKINS; JAMES EDWARD PRINCE; LINDA SUE NORTH PRINCE; JERRY LEE FIELDS; FRANK ELWOOD FIELDS; SHAYNE ANTHONY FIELDS; MISTY DAWN MILLER DILLON; HAILEY DAWN MILLER DILLON; JAMES FIELDS; BETH ANN WALLEN; ALYSA WALLEN; MARK ADKINS; MARSHA O. ADKINS; DAKOTA BREWSTER; MARY HELEN YATES; MELVIN CHARLES MCCOY; MADONNA MCCOY; AMANDA DAWN MCCOY; MELVIN LEE MCCOY; DAVID MICHAEL MCCOY; MYRA K. SLONE; MISTY DAWN FIELDS CUNNINGHAM; JENNIFER LYNN JOHNSON ENDICOTT; BRITTANY LYNN JOHNSON; DEBRA ANN MILLER; DAVID B. YATES; BETTY FIELDS AYERS; EUGENE CLINE; MARK MARCUM; MARGARET ANN WHITT; MARY ANN ROBERTS; JACOB ANDREW LOPEZ; JAQLYN MARIE LOPEZ; JESSE JACINTO LOPEZ; MARCUS CODY ADKINS; MELISSA BENTLEY; AUSTIN PAUL RYAN BROWN; KURASTIN PAIGE BROWN; MICHAEL TODD ADKINS; MARK STANLEY; NATASHA LYNN STANLEY; FRANCIS HICKS MAY; DREAMA LYNN MARCUM GANNON HOLMES; CHRISTINA MICHELLE H. OOTEN; BILL HENRY; CHARLES EDWARD STANLEY; TERESA ANN STANLEY; CHRISTOPHER LEE HICKS; JEREMY DAVID MCCOY; ALICE OOTEN; CAROL FRANCIS LOCKARD MAYNARD; CHARLOTTE SEWARD; DARLENE HICKS; BARBARA ANN CRABTREE HELVEY; OPAL MAY ROBERTS; RICHARD LEWIS; ORTHA FRANCE; JESSICA LYNN BOWMAN BLANKENSHIP; TIFFANY NICOLE PRICE; VICKY LYNN WHITE; ROSCOE WHITE; RUTH WHITE; SHEILA RENA MAYNARD; PHILLIP BRYANT COLEMAN; ARLEEN FAYE COLEMAN; JOHN ALLEN DILLON; JONATHAN CLIFFORD WHITT; RUDOLPH SCOTT SEEFELDT; NANCY ANN LOCKARD SEEFELDT; GARTH SIRCHER; ZACHARIAH SCOTT BROOKS SEEFELDT; ARTHUR DINGESS; CHARLES TRAVIS LOCKARD; ANGELA RHONDA NICOLE ANDERSON LOCKARD; CHARLES TRAVIS LOCKARD, JR.; MICHAELA NICOLE LOCKARD; SHARON LESTER; MISTIE NICOLE PRINCE; KENNETH PATRICK HENSLEY; CARL BOWMAN; LINDA GAYE CLINE BOWMAN; CARLA JO BOWMAN; DAKOTA LEE EARL

BLANKENSHIP; NORMA JEAN HENSLEY CLARK; ROBERT JAMES CLARK, JR.; JOSHUA JAMES CLARK; PEGGY SUE MILLER; PAUL MICHAEL SLONE; DONNA FIELDS SLONE; ANGELEA CHRISTINA FIELDS; PEGGY SUE HENSLEY MAY; CHESTER LAWRENCE MAY, JR.; MATTHEW LAWRENCE MAY; SABRINA MARIE DOLL; SHARON B. ADKINS; MICHAEL ADKINS; DOROTHY P. POPE; CHRISI CALODNIA PRINCE; ANGELA MARIE BOWMAN; FRANKIE DALE HICKS; CHRISTINE PRICE; ALEXANDRIA RACHELLE LAWSON FIELDS; ROBERT JOSEPH PRICE; CHEYENNE JANE FIELDS; ELMER "BO" COLLINS; CHRISTY COLLINS; JOEY COLLINS; FRANCES MOLLET ROER; DONALD L. ROER; DIANA L. ROER; ERNIE HALL; HANSEL LEE COLLINS; NINA HATFIELD; OPAL L. JERVIS; TOM D. JERVIS; JOYCE ANN HENSLEY PATTON; KRISTA DONLEY; CHRISTOPHER MATTHEW BROWN; LISA RENEE TYGART BROOKS; RONALD H. BROOKS, II; MARK YORK; BARB S. YORK

Plaintiffs - Appellees

v.

RAWL SALES AND PROCESSING COMPANY; MASSEY ENERGY COMPANY

Defendants - Appellants

Appeal from the United States District Court for the
Southern District of West Virginia at Charleston

In accordance with the written opinion of this Court filed this day, the Court affirms the judgment of the District Court.

A certified copy of this judgment will be provided to the District Court upon issuance of the mandate. The judgment will take effect upon issuance of the mandate.

/s/ Patricia S. Connor

CLERK